

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MARVIN CHARLES,	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	
	:	
UPS NATIONAL LONG TERM	:	No. 12-06223
DISABILITY PLAN, ET AL.,	:	
Defendants.	:	

ORDER

AND NOW, this 29th day of October, 2015, upon consideration of the defendants' motion for summary judgment (Doc. No. 33), the plaintiff's motion for summary judgment (Doc. No. 29), and all responses thereto, it is hereby **ORDERED** that the defendants' motion is **DENIED** and the plaintiff's motion is **GRANTED on Count I only**, as explained in the accompanying memorandum. Judgment is entered in favor of the plaintiff on Count I only. The defendant shall reinstate plaintiff's long-term disability benefits as set forth in the plan.

The parties shall have **thirty (30) days** from the date this Order is entered to submit briefing on Count II of the plaintiff's complaint.¹

BY THE COURT:

/s/Lawrence F. Stengel
LAWRENCE F. STENGEL, J.

¹ The plaintiff's attorney may submit a motion for attorney's fees after Count II has been resolved.